

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**MICHAEL DENNINGHOFF**

**v.**

**BRIAN K. MORRIS**

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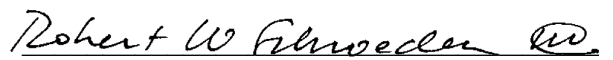
**CIVIL ACTION NO. 6:16cv1362**

**ORDER ADOPTING REPORT AND  
RECOMMENDATION OF THE  
UNITED STATES MAGISTRATE JUDGE**

The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of the Complaint has been presented for consideration. The Report and Recommendation (Docket No. 6), filed on January 24, 2017, recommends that Plaintiff's Opposed Motion to Remand (Docket No. 4) be granted because Defendant has failed to meet his burden to prove that there is complete diversity among the parties. Docket No. 6 at 3. The Report and Recommendation further recommends that the matter be remanded to Justice of the Peace Court, Precinct 4, Henderson County, Texas. *Id.* at 4. No written objections have been filed. The Court agrees with the Magistrate Judge and **ADOPTS** the findings and conclusions of the Magistrate Judge as those of the Court. Accordingly, it is

**ORDERED** that Plaintiff's Opposed Motion to Remand (Docket No. 4) is **GRANTED**. The above-styled cause of action is **REMANDED** to Justice of the Peace Court, Precinct 4, Henderson County, Texas.

**SIGNED this 15th day of February, 2017.**

  
ROBERT W. SCHROEDER III  
UNITED STATES DISTRICT JUDGE